

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FARMINGTON CASUALTY COMPANY,

Plaintiff,

-against-

LARRY M. JIMENEZ and EVELYN BARBOSA,

Defendants.
-----X

Civil Action No. 7:24-cv-00888-
CS

~~PROPOSED~~ DEFAULT
JUDGMENT

This action having been commenced on February 7, 2024 by the filing of the Summons and Complaint; and

A copy of the Summons and Complaint having been served on defendant Larry M. Jimenez on March 7, 2024, by personal delivery to Larry M. Jimenez, and proof of that service having been filed on March 12, 2024; and

A copy of the Summons and Complaint having been served on defendant Evelyn Barbosa. by (i) personally delivering a copy of those documents to a person of suitable age and discretion at Evelyn Barbosa's actual place of business on March 14, 2024; (ii) mailing a copy of those documents to Evelyn Barbosa's last known residence by first class mail, in an envelope bearing the legend "PERSONAL AND CONFIDENTIAL," and not indicating on the outside thereof that the communication was from an attorney or that it concerned an action against her, on March 22, 2024; and (iii) filing proof of service detailing these efforts on March 29, 2024; and

The defendants Larry M. Jimenez and Evelyn Barbosa not having answered the Complaint, and their time for answering the Complaint having expired, it is

ORDERED, ADJUDGED, and DECREED that default judgment is granted against defendants Larry M. Jimenez and Evelyn Barbosa, declaring that: (i) there is no coverage for

defendant Larry M. Jimenez for the underlying lawsuit styled *Barbosa v. Jimenez*, pending in the Supreme Court of the State of New York, County of Orange, Index No. EF000200-2021 (the “Underlying Action”) under the policy of insurance issued by Plaintiff Farmington Casualty Company (“Travelers”) to Larry M. Jimenez; (ii) Travelers owes no duty to defend Larry M. Jimenez in connection with the Underlying Action; (iii) Travelers owes no duty to indemnify Larry M. Jimenez in connection with the Underlying Action; and (iv) Travelers may withdraw its defense of Larry M. Jimenez in the Underlying Action.

Dated: 6/17/24



Hon. Cathy Seibel, U.S.D.J.

This document was entered on the docket
on _____.